

February 1, 2012
FOR IMMEDIATE RELEASE

Summary of January 13, 2012, Board Meeting

The following is a summary of January 13, 2012, meeting of the Iowa Board of Medicine. (The meeting scheduled on January 12-13, 2012, was abbreviated due to a disciplinary hearing that took longer than expected.)

Cases Reviewed: The Board reviewed 38 cases.

New Investigative Cases: The Board reviewed 8 new investigative cases.

Statement of Charges: Upon a determination by the Board that probable cause exists to take formal disciplinary action, the Board may file a Statement of Charges which contains the allegations of the Board.

The Board approved two Statements of Charges.

1. The Board charged a physician who practiced family medicine in Ackley, Iowa, with engaging in sexual relationships with two female patients, performing an inappropriate physical examination on a third patient, making inappropriate sexual comments to another female and failing to timely respond to the Board's investigation. A hearing is scheduled on March 16, 2012.
2. The Board charged a physician who practiced family medicine in Newton, Iowa, with prescribing excessive controlled substances to numerous patients, including patients with known drug abuse histories. A hearing is scheduled on April 5, 2012.

Combined Statement of Charges and Settlement Agreements: Upon a determination by the Board that probable cause exists to take formal disciplinary action, the Board and the licensee may enter into a combined Statement of Charges and Settlement Agreement to resolve the matter. A combined Statement of Charges and Settlement Agreement contain the allegations of the Board and the sanctions.

The Board approved two Combined Statement of Charges and Settlement Agreements.

1. An Iowa-licensed psychiatrist who practices neurological surgery in Omaha, Nebraska, entered into a combined Statement of Charges and Settlement Agreement with the Board on January 13, 2012. The Board charged the physician with violating appropriate professional boundaries when he engaged in an inappropriate relationship with, and provided financial assistance to, a female patient, during a period when she was under Dr. Jensen's care in 2009, in Omaha, Nebraska, and for being disciplined by the Nebraska Department of Health and Human Services, Division of Public Health. The Board placed the physician on probation for a period of five years subject to Board monitoring, issued him a public reprimand and ordered him to pay a \$7,500 fine.
2. An Iowa-licensed physician who practices orthopedic and hand surgery in Champaign, Illinois, entered into a combined Statement of Charges and Settlement Agreement on January 13, 2012. On April 14, 2011, the physician was disciplined by the Department of Financial and Professional Regulation of the State of Illinois for failing to timely inform a patient that a pathology report was positive for cancer following hip replacement surgery, resulting in a delay in follow-up care. The physician was issued a public reprimand and ordered to pay a \$2,500 fine. Under the January 13, 2012, combined Statement of Charges and Settlement Agreement, the Iowa Board issued the physician a public reprimand, ordered him to pay a \$1,000 fine and required him to submit a written corrective action plan describing the steps he has taken to avoid similar concerns in the future.

Settlement Agreements: After the Board has determined that probable cause exists to take formal disciplinary action and formal disciplinary charges have been filed, the Board and the licensee may enter into a Settlement Agreement to resolve the pending disciplinary charges rather than hold a formal disciplinary hearing.

The Board approved three Settlement Agreements.

1. An Iowa-licensed physician who formerly practiced internal medicine in Burlington, Iowa, entered into a Settlement Agreement with the Board on January 13, 2012. On April 6, 2010, the physician pleaded guilty of: obstruction of justice; tampering with a witness; and illegal dispensation of a controlled substance. On July 28, 2011, the Board charged the physician with: being convicted of a felony related to the practice of medicine; violating the laws and rules governing the practice of medicine; engaging in unethical or unprofessional conduct and having his Illinois medical license suspended. The physician surrendered his Iowa medical license.
2. An Iowa-licensed who formerly practiced family medicine in Jefferson, Iowa, entered into a Settlement Agreement with the Board on January 13, 2012. On April 8, 2011, the Board charged the physician with failing to respond to emergency department pages in a timely manner, failing to dictate hospital notes in a timely manner, and failing to provide appropriate treatment to a sixteen year-old patient who presented to the emergency department in 2006. The Board placed the physician on probation for a period of three years subject to Board monitoring, including a supervised education program, issued him a public reprimand and ordered him to pay a \$2,500 fine.

Confidential Evaluation Orders: If the Board receives evidence that a physician may suffer from physical, neurological, mental condition or substance abuse, the Board may issue a confidential evaluation order requiring the physician to complete an appropriate evaluation at a Board-approved program. Additionally, if the Board receives evidence that a physician lacks the appropriate knowledge or ability to practice medicine with reasonable skill or safety or that a physician has failed to provide appropriate care to patients, the Board may issue a confidential order requiring the physician to complete a competency evaluation at a Board-approved competency assessment program.

No such orders were issued by the Board.

Confidential Letters of Warning or Education: When the Board determines that probable cause does not exist to take formal disciplinary action the Board may send a confidential, non-disciplinary letter to a licensee expressing concerns and requesting that a licensee take corrective action, including further medical education.

The Board voted to issue 4 confidential Letters of Warning or Education due to the following areas of concern:

1. Failure to perform a pre-procedure physical examination.
2. Failure to provide appropriate care during a high-risk pregnancy.
3. Concerns about surgical complications.
4. Engaging in a pattern of disruptive behavior.

Board Appearances: The Board may ask a licensee to appear before the Board to discuss concerns when the Board determines that a face-to-face meeting will assist the Board during the investigative process.

All physician appearances were cancelled due to the abbreviated meeting schedule.

Monitoring Committee: The Monitoring Committee monitors licensees who have been disciplined by the Board and require monitoring.

The Monitoring Committee meeting was cancelled due to the abbreviated meeting schedule.

Screening Committee: The Screening Committee reviews cases that are lower priority and have not been investigated by the Board to determine whether investigation is warranted.

The Screening Committee meeting was cancelled due to the abbreviated meeting schedule.

Licensure Committee: The Licensure Committee is a committee reviews initial license applications, renewals and reinstatements other licensure policies and issues. Most license applications are approved by Board staff without Licensure Committee review. However, some applications raise concerns about an applicant and the Licensure Committee must review the matter to determine whether a license should be granted, renewed or reinstated.

The Licensure Committee meeting was cancelled due to the abbreviated meeting schedule.

Other Board action: No other action was taken by the Board due to the abbreviated meeting.

A press release describing public disciplinary action taken by the Board was distributed and posted on the Board's Website on January 19, 2012. If you have questions about this summary or Board's disciplinary action press release, please contact Kent Nebel, Legal Director, at (515) 281-7088 or kent.nebel@iowa.gov.